

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Tonya and Timothy
Cain,

Debtors

: **Chapter 13**
:
: **Bky. No. 17-16840 JKF**

ORDER

AND NOW, upon consideration of the Debtors' Motion to Approve Mortgage Loan Modification ("the Motion") between the Debtors and **Citimortgage** ("the Lender")(Doc. #25), and after notice, and there being no objection thereto, it is hereby **ORDERED** and **DETERMINED** that:

1. The Motion is **GRANTED**.
2. The Debtors are **AUTHORIZED** to enter into the loan modification transaction as set forth in the Motion and consummation of the transaction **SHALL NOT CONSTITUTE** a violation of the automatic stay, 11 U.S.C. §362(a).
3. If: (a) the loan modification provides for reinstatement of the loan account and the elimination of the pre-petition arrears and (b) the Lender has filed a proof of claim on account of pre-petition arrears, the Lender's proof of claim is **DISALLOWED** insofar as it constitutes a demand for payment of prepetition arrears.



Date: April 26, 2018

JEAN K. FITZSIMON
U.S. BANKRUPTCY JUDGE